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PATENT AND TRADEMARK AGENTS

FAX

Fax: 1-571-273-0459

Date: October 3, 2008

Our file: 3121-1A-1

Your file:

RECEIVED

Sent to: Assistant Commissioner for Patents

OCT 03 2008

Attention: Office of PCT Legal Administration

PCT LEGAL
ADMINISTRATION

Number of pages to follow: 3

Comments:

Please find enclosed our letter dated October 3, 2008, with a delay for reply expiring on November 19, 2008.

Yours very truly.

Lesperance & Martineau

LESPÉRANCE ET MARTINEAU

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Our file: 3121-1A-1

Date: October 3, 2008

DUE DATE: November 19, 2008

American Patent Application No.: 10/585,096

Filed: January 7th, 2005

PCT Application N°: PCT/CA2005/000018

Int. Filing Date: January 7, 2005

Priority Date: January 12, 2004

Inventor(s): BRAULT Jean, KRICK Thierry, ROY Annie

Applicant(s): SYSTEMES DE MOBILIER TRIANGLE INC.

Title: WORKTABLE COMPRISING A MULTIDIRECTIONAL
COUPLING

ATTENTION: PCT Legal Examiner - Mr. George DOMBROSKE

Assistant Commissioner for Patents

Mail Stop PCT

P.O. Box 1450,

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U.S.A.

Fax @ 1-571-273-0459

Attention: PCT Legal administration

Sirs:

This is pursuant to the decision on petition dated 19 September 2008, with a delay for reply expiring 19 November 2008. In this decision, our petition dated September 10, 2008 was dismissed.

Reconsideration on the merits of our petition dated September 10, 2008 is respectfully requested. Two objections were raised by the Examiner :

American Patent Application No.:10/585,096 filed on January 7th, 2005

1. "it is not clear that the period provided for response would have been adequate for Mr. Brault to read the contents of the letter, decide whether to execute the application, and return the declaration. Since it is not clear that the time period allowed was reasonable under the circumstances, it would not be appropriate to conclude at this time that Mr. Brault's failure to return the executed declaration within that time should be construed as a refusal within the meaning of 37 CFR 1.47(a)."

The Examiner should note that the Affidavit of Mrs Annie Roy submitted with our petition of 10 September 2008, was dated September 8, 2008. Clearly, when Mrs Roy mentions in her affidavit that

"on August, 14, 2008, a declaration and power of attorney form directed toward the instant application and a complete copy of the patent application papers were transmitted to Mr. Jean Brault's residence and the document reception was acknowledged on August 15, 2008. Within the 15 days window allowed for return, Mr. Brault has not returned to us any such declaration and power of attorney",

she does say that **as of the date that she has signed the affidavit, namely, 8 September 2008, thus more than three weeks from date of receipt by Mr Brault of the letter and declaration and power of attorney, Mr Brault has not returned to them any such declaration and power of attorney.** That is clearly what Mrs Roy has told me was the case. Therefore, this three week period exceeds the statutory minimum period required by the U.S. patent office in these cases for allowing such affidavit.

2. As for my statement that the French language section of the bilingual French language declaration form used as the Declaration of ownership filed May 2nd 2008 is an accurate translation in French of the original English language section thereof, I hereby clarify in the following fashion :
 - a) the completed declaration and power of attorney French-English form filed September 10, 2008 has been taken directly from the U.S. patent office web site;
 - b) as for the declaration and power of attorney form filed May 14, 2008, I hereby provide the statement that, to the best of my abilities, the French language section thereof is an accurate translation in French of the original English language section thereof.

American Patent Application No.: 10/585,096 filed on January 7th, 2005

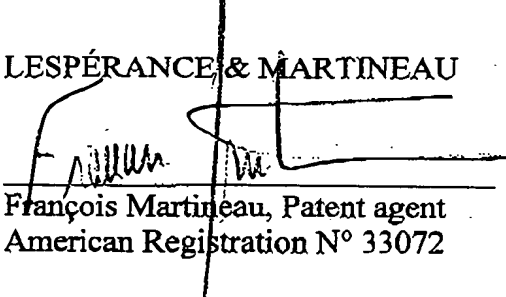
- c) As for the declaration and power of attorney form filed during entry into U.S. national phase of the above-captioned patent application, I hereby provide the statement that, to the best of my abilities, the French language section thereof is an accurate translation in French of the original English language section thereof.

I believe that I have addressed all outstanding objections from the Examiner.

Early grant of the present petition is respectfully requested.

Yours truly,

LESPERANCE & MARTINEAU

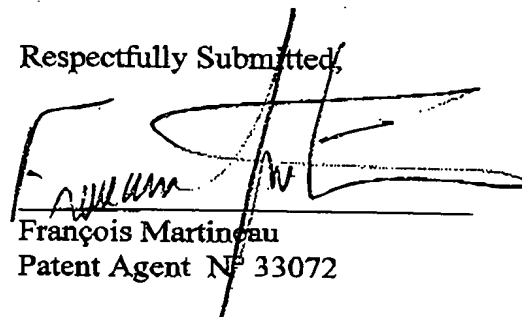


François Martineau, Patent agent
American Registration N° 33072

CERTIFICATE OF TRANSMITTAL BY FAX

It is hereby certified that this petition, consisting of three (3) pages, is being facsimile transmitted to the United States Patent and Trademark office on October 3, 2008 at fax N° 1-571-273-0459.

Respectfully Submitted,



François Martineau
Patent Agent N° 33072

FM/md
U06

*** RX REPORT ***

RECEPTION OK

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